

Copyright Guidelines for Educational Multimedia

Adapted From: <http://www.utc.edu/Teaching-Resource-Center/copy.html#multimedia>

Guidelines for Educational Multimedia

- Teachers and students may use multimedia projects in personal portfolios as examples of their academic work for later use
- Students may use multimedia projects in courses for which they were created
- Educators may use multimedia projects for curriculum-based instruction in the following situations:
 - face-to-face instruction;
 - assigned to students for directed self-study;
 - remote instruction over a secure electronic network, or for after class review or directed self-study if there are technological limitations on access to the network and if the technology prevents copying of copyrighted material.
- If the technology cannot prevent duplication, may use multimedia project for 15 days after initial use. Then, may be placed on reserve in a library for use by students enrolled in the course. Students must be advised not to make their own copies
- Educators may use multimedia projects at peer conferences and workshops.

Time Limitations:

- May use for teaching a course for two years.

Portion limitations:

- **Motion Media:** 10% or 3 min.
- **Text Material:** 10% or 1,000 words.
- Entire poem of less than 250 words. No more than three poems by one poet, or five poems from any anthology. Longer poems - 250 words, but no more than three excerpts from the same poet, or five excerpts from an anthology.
- **Music, Lyrics, and Music Videos:** Up to 10%, but never more than 30 seconds. Any alteration is not to change the basic melody or fundamental character of the work.
- **Illustrations and photographs:** May be used in its entirety but no more than five images by an artist or photographer. Not more than 10% or 15 images from a published collective work.
- **Numerical Data Sets:** 10% or 2500 fields or cell entries from a database or data table. A field entry is a specific item of information in a record of a database file.

Continued →

Copying and Distribution Limitations:

- No more than two use copies, one of which may be placed on reserve.
- An additional copy may be made for preservation but only to replace a copy that has been lost, stolen, or damaged.
- If the project is jointly created, each primary creator may keep one copy.

Examples of when permission is required:

- Using multimedia projects for non-educational purposes.
- Duplication beyond limitations of these guidelines.
- Distribution beyond limitations of these guidelines.

The periodical *Techtrends* contains a regular feature called *Copyright and You* that keeps up with the latest copyright issues.

Guidelines for Digital Images

Definitions:

- Digital image: A visual work stored in binary code.
- Analog Image Collection: An assemblage of analog visual images systematically maintained for educational purposes in the form of slides, photographs, or other stand-alone visual media.
- Pre-existing Analog Image Collection: In existence as of 12/31/96.
- Newly Acquired Analog Visual Image: Added to collection after 12/31/96.
- Visual On-line Catalog: Database consisting of thumbnail images of lawfully acquired image collection with any descriptive text.
- Thumbnail Image: Used in visual on-line catalog or image browsing display. Is a small scale digital reproduction which has no intrinsic commercial or reproductive value.

Guidelines:

- Images that are readily available in usable digital form for purchase or license at a fair price should not be digitized for addition to an institutional image collection without permission.
- May create thumbnail images of lawfully acquired images for inclusion in a visual catalog.
- May provide access to digitized images over a secure electronic network. Must provide notice that digital images on secure network are not to be downloaded, copied, retained, printed, shared, modified, or otherwise used.
- May display a visual online catalog on secure electronic network.

- May display an educator's compilation of digital images on secure network for classroom use, after-class review, or directed study, provided there are technological limitations restricting access only to students enrolled in the course.
- Access to digital images is not permitted beyond the institution's own electronic network.
- Digitized images from a known source and not readily available in usable digital form for purchase or license at a fair price may be used for one academic term and may be retained in digital form while permission is being sought. Permission is required for use beyond the initial use.
- Where the rights holder of an image is unknown, the image may be used for 3 years from first use provided that a reasonable inquiry is conducted to try to secure permission.
- An educator may display digital images for educational purposes
- Educators may compile digital images for display on the institution's secure electronic network.
- Educators, scholars, and students may use or display digital images in connection with lectures or presentations in their fields
- Students may:
 - use digital images in an academic course assignment
 - publicly display their academic work incorporating digital images in courses for which they are registered
 - retain their academic work in their personal portfolios for later uses.
- Educators, scholars, and students may digitize images for educational purposes if the inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission. Permission must be sought for any reuse.
- When digitizing images, an institution should simultaneously seek permission.
- If the rights holder is unknown, should keep records of reasonable inquiry.
- A reasonable inquiry includes:
 - checking information within the control of the educational institution
 - asking relevant faculty
 - consulting standard reference publications and databases
 - consulting rights reproduction collectives.
- Should credit sources and display copyright notice with any copyright ownership information in the original source for all images digitized.
- Is generally appropriate to use images in their entirety in order to respect the integrity of the original.
- Take care in making alterations
- Must respect the integrity of original work. Make note of any alterations made.
- Exercise caution in using digital images from other sources, such as the Internet. Copyrighted works may have been posted without the holder's knowledge.

- May digitize images from pre-existing analog collections during a transition period of 7 years, during which the institution should simultaneously begin seeking permission to digitize, retain, and reuse all such images.

To stay updated on Copyright issues, you may want to check out Stanford's website: Copyright and Fair Use (<http://fairuse.stanford.edu/>)

Asking for Permission

It's pretty easy to ask for permission to use items for educational purposes. Most copyright holders are flattered that you've asked and most will give you permission to use whatever you need within reason. To obtain permission to use items, call the copyright holder and see if you can obtain permission over the phone first. Then follow up with a letter that includes the following information.

- Request permission to use a specific program. Include what you want to use, why you want to use it, and how it will be used. Note whether you plan on making any changes to the original or if you will use it "as is."
- Include the title of the work and other information that clearly identifies the work that you wish to use.
- Outline the materials to be duplicated. If you are using a small portion of the work, outline which portion is being used.
- Describe the type of reproduction you will be making. Are you going to take an illustration from a book and make it into a slide for your presentation? Are you going to take a slide and include it in your video?
- Describe how the copies will be used? Will you be presenting to a group of people in a class that is held on a regular basis? Will you be using the material on a regular basis for any presentation?
- Describe the distribution of the copies. Is the work going to be included in a work that will be sold outside of the institution?
- Include two copies of the letter and a place for the copyright holder to sign off, giving you permission to make a copy. Provide a place in the letter for the copyright holder to add any additional conditions to the use of the work. Also include a self-addressed, stamped envelope to make it easier for the copyright holder to return the letter.

Don't assume that just because you have given an author credit you are off the hook. "Giving credit is not sufficient; if the user is violating fair use guidelines in other ways, acknowledging the author will not make the action legal" (Salpeter, 1992).

Also, don't assume that if you use someone else's materials that they have obtained permission. Find your own references and obtain your own permission to use images, slides, print materials and artwork.

For a copy of a sample permission letter, visit:



**[http://www.utc.edu/Administration/WalkerTeachingResourceCenter/
FacultyDevelopment/Copyright/copy_per.html](http://www.utc.edu/Administration/WalkerTeachingResourceCenter/FacultyDevelopment/Copyright/copy_per.html)**